NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL TUESDAY, JANUARY 26, 2010 COUNCIL CHAMBERS and WEST CONFERENCE ROOM CITY HALL - 456 W. OLIVE AVE. SUNNYVALE, CALIFORNIA

6 P.M. SPECIAL COUNCIL MEETING (Closed Session)

City Council Closed Session

- 1. Call to Order in the West Conference Room (Open to the Public)
- 2. Roll Call
- 3. Convene to Closed Session The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.
 - a. Closed Session pursuant to Government Code Section 54956.8

Conference with Real Property Negotiator

Property: Sunnyvale Town Center Project

Negotiating Parties: Sunnyvale Redevelopment Agency- Agency Director Gary Luebbers.

Wachovia Bank - Janice Thacher, John Knorpp.

Under Negotiation: Terms for Completion of Foreclosure Proceedings

4. Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER - Call to order in the Council Chambers

SALUTE TO THE FLAG

ROLL CALL

Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5.

CLOSED SESSION REPORT FOR JANUARY 26, 2010

Closed Session pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator

SPECIAL ORDER OF THE DAY – Sunnyvale Reads Month Proclamation

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

PRESENTATION – Presentation from the 49ers on Proposed Santa Clara Stadium

PRESENTATION – Review of the Sunnyvale Centralized Purchasing Function

CONSENT CALENDAR

1.A. MOTION Approval of Council Meeting Minutes of January 12, 2010

Approval of Information/Action Items - Council Directions to Staff 1.B. MOTION

Fiscal Items

1.C. RESOLUTION Approval of Resolution to Submit Applications for Funding under the RTC 10-015 Statewide Park Development and Community Revitalization Act of 2008 (Proposition 84)

Staff Recommendation: Adopt the resolution authorizing staff to apply for funds from the Statewide Park Development and Community Revitalizations Act of 2008. Staff Contact: Cathy Merrill, (408) 730-7531

1.D. RESOLUTION Resolution to Accept State Infill Infrastructure Grant Funds and to Loan RTC 10-020 Funds to MP Fair Oaks I, L.P. for the Fair Oaks Senior Housing Project

Staff Recommendation: Adopt the resolution to accept State Infill Infrastructure Grant Funds and to loan funds to MP Fair Oaks I, L.P. for the Fair Oaks Senior Housing Project.

Staff Contact: Suzanne Ise, (408) 730-7698

1.E. MOTION Approval of Budget Modification No. 17 to Recognize Grant Funding and Appropriate Funds for Federal Stimulus Energy Efficiency and RTC 10-024 **Conservation Projects**

Staff Recommendation: Authorize the City Manager to execute any required agreements to secure grant funding and implement the Light Emitting Diode Streetlight Retrofit Project, the Climate Action Plan, and the Acterra Home Energy Audits and approve Budget Modification No. 17 to: (1) appropriate \$1,142,500 of awarded funds to new project Light Emitting Diode Streetlight Retrofit; (2) appropriate \$100,000 of awarded funds to new project Climate Action Plan; and (3) appropriate \$49,500 of awarded funds to new projects Acterra Home Energy Audits.

Staff Contact: Jack Witthaus (408) 730-7330

Contracts: Sunnyvale Works!

1.F. MOTION Award of Sunnyvale Works! Bid No. F0911-42 Community Center Gas RTC 10-018 Line Replacement

<u>Staff Recommendation</u>: Award a contract in the amount of \$143,000, to Lewis & Tibbitts, Inc., for the subject project, and authorize the city manager to execute the contract when all necessary conditions have been met: and approve a project contingency in the amount of \$21,450.

Staff Contact: Peter Gonda, (408) 730-7418

1.G. MOTION Award of Sunnyvale Works! Bid No. F0907-06 Sulfur Dioxide Equipment Replacement - Sodium Bisulfite System and Approval of Budget Modification No.18

<u>Staff Recommendation</u>: Award a contract in the amount of \$396,000 to Pacific Infrastructure Corporation, for the subject project, and authorize the city manager to execute the contract when all necessary conditions have been met; and approve a project contingency in the amount of \$59,400; and approve Budget Modification No. 18. <u>Staff Contact</u>: Peter Gonda, (408) 730-7418

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.

PUBLIC COMMENTS

This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker.** If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.

 ORDINANCE Amendment to Sunnyvale Massage Ordinances (Chapter 9.41) to RESOLUTION Comply with Senate Bill 731 RTC 10-021

<u>Staff Recommendation</u>: Alternative 1: Adopt the Ordinance in Attachment A and the Resolution in Attachment B.

Staff Contact: Lieutenant Jeffrey Hunter, (408) 730-7157

3. MOTION 2010 Priority Issues and Legislative Advocacy Positions RTC 10-016

<u>Staff Recommendation</u>: Approve Attachment A, *DRAFT Council Policy 7.3.2 Legislative Advocacy Positions*, including the positions, Priority Issues, and 2010 League of California Cities and National League of Cities Resolutions.

Staff Contact: Yvette Blackford, (408) 730-7536

4. MOTION Revisiting the Council Policy on "Dropped" Study Issues RTC 10-017

<u>Staff Recommendation</u>: Further streamline the study issues process; adopt the proposed revisions to Council Policy 7.3.26 *Study Issues Process* as identified in Attachment A such that "dropped" issues would be precluded from coming back to Council the following year. <u>Staff Contact</u>: Yvette Blackford, (408) 730-7536

5. MOTION 2009-0799 - Selection of Two Councilmembers for the General Plan RTC 10-023 Consolidation Advisory Committee

<u>Staff Recommendation</u>: Select two Councilmembers for the General Plan Consolidation Advisory Committee.

Staff Contact: Diana O'Dell, (408) 730-7257

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Board of Library Trustees Meeting of January 4, 2010

ADJOURNMENT TO THE ONIZUKA LOCAL REDEVELOPMENT AUTHORITY

ONIZUKA LOCAL REDEVELOPMENT AUTHORITY

ROLL CALL

CONSENT CALENDAR

LRA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of August 11, 2009

LRA 1.B. MOTION Award of Contract to Refine the Auto Center Concept and Prepare a Business Plan for Economic Development Conveyance of the

Onizuka Air Force Station (F0910-36)

Staff Recommendation: Authorize the city manager to award a contract to Basile Baumann Prost Cole & Associates, Inc. (BBPC) of Annapolis, Maryland in an amount not to exceed \$302,920 to refine and further analyze the market and financial feasibility of the Auto Center reuse concept, and to prepare a business-operational plan for submittal to DOD to support an economic development conveyance of the Onizuka Air Force Station to the City; and approve a contract contingency in the amount of \$2.080.

Staff Contact: Peter Gonda, (408) 730-7418

PUBLIC COMMENTS

This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Authority Chair) with a **maximum of three minutes per speaker.** If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Authority members. If you wish to address the Authority, please complete a speaker card and give it to the Authority clerk. Individuals are limited to one appearance during this section.

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at http://sunnyvale.ca.gov after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community—wide interest that occur on an annual basis (only announce one time).

<u>Public Hearing – Order of Hearing as Follows:</u>

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a maximum of three minutes per speaker. If your subject is not on this agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by the Council. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chamber, the publication "How to Make Your Council Chamber Presentation More Effective" may be helpful. Copies are available on the tables located at the back of the Council Chamber prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at http://sunnyvale.ca.gov.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide**12 copies of the materials to the city clerk (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME		PLACE		
Jan. 29, 2010	City Council Study Issues and Budget Workshop	8:30	a.m.	Council Chambers		
Feb. 9, 2010	Council Meeting	7	p.m.	Council Chambers		
Feb. 23, 2010	Council Meeting	7	p.m.	Council Chambers		
OTHER SCHEDULED MEETINGS						
Jan. 25, 2010	Planning Commission Study Session	7	p.m.	West Conference Rm		
Jan. 25, 2010	Planning Commission Public Hearing	8	p.m.	Council Chambers		
Jan. 27, 2010	Administrative Hearing	2	p.m.	West Conference Rm		
Feb. 1, 2010	Board of Library Trustees	7	p.m.	Library Program Rm A		
Feb. 3, 2010	Heritage Preservation Commission (Special Meeting)	7	p.m.	West Conference Rm		
Feb. 8, 2010	Personnel Board	5	p.m.	Council Chambers		
Feb. 8, 2010	Planning Commission Study Session	7	p.m.	West Conference Rm		
Feb. 8, 2010	Planning Commission Public Hearing	8	p.m.	Council Chamber		
Feb. 10, 2010	Administrative Hearing	2	p.m.	West Conference Rm		
Feb. 10, 2010	Parks and Recreation Commission	7	p.m.	Council Chambers		
Feb. 17, 2010	Arts Commission	7	p.m.	Council Chambers		
Feb. 18, 2010	Bicycle and Pedestrian Advisory Commission	6:30	p.m.	West Conference Rm		
Feb. 22, 2010	Planning Commission Study Session	7	p.m.	West Conference Rm		
Feb. 22, 2010	Planning Commission Public Hearing	8	p.m.	Council Chamber		
Feb. 24, 2010	Administrative Hearing	2	p.m.	West Conference Rm		
Feb. 24, 2010	Housing & Human Services Commission	7	p.m.	West Conference Rm		

<u>CHANNEL 15 – KSUN</u>
For a complete schedule of KSUN-15 broadcasts, visit *KSUN.inSunnyvale.com*

Jan. 26, 2010 Jan. 27, 2010	City Council Meeting – Live City Council Meeting – Replay of Jan. 26, 2010	7 7	p.m. p.m.
Jan. 29, 2010	City Council Study Issues and Budget	8:30	a.m.
	Workshop – Live		
Jan. 31, 2010	City Council Meeting - Replay of Jan. 26, 2010	4	p.m.